

The Honorable Tana Lin

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AESTHETIC EYE ASSOCIATES, P.S.,

Plaintiff/Counterclaim  
Defendant,

v.

ALDERWOOD SURGICAL CENTER, LLC;  
NORTHWEST NASAL SINUS CENTER,  
P.S.; and JAVAD A. SAJAN, M.D.,

Defendants/  
Counterclaimants.

No. 2:22-cv-00773-TL

**STIPULATED MOTION AND  
~~PROPOSED~~ ORDER  
REGARDING MEDIATION  
STAY**

Note on Motion Calendar:  
**January 30, 2024**

**I. INTRODUCTION**

Plaintiff/Counterclaim Defendant Aesthetic Eye Associates, P.S. (“Plaintiff”) and Defendants/Counterclaimants Alderwood Surgical Center, LLC, Northwest Nasal Sinus Center, P.S., and Javad A. Sajjan, M.D. (“Defendants”) (Plaintiff and Defendants collectively, “the Parties”) intend to mediate this dispute on Saturday, April 13, 2024, before the Honorable Larry A. Jordan of Judicial Dispute Resolution, LLC. To conserve the Parties’ resources and to promote judicial economy, the Parties propose this matter be stayed on the

1 terms described below. The Parties jointly submit this Stipulated Motion and [Proposed]  
2 Order Regarding Mediation Stay for the Court's consideration and approval.

3 **II. STIPULATION**

4 WHEREAS, on June 12, 2023, the Parties filed a Stipulated Motion and [Proposed]  
5 Order Regarding Mediation Stay (Dkt. No. 48), which this Court approved on the same date.  
6 *See* Order Regarding Mediation Stay (Dkt. No. 49). The mediation did not proceed;

7 WHEREAS, on October 6, 2023, at the Court's direction, the Parties filed a First  
8 Amended Joint Status Report and Discovery Plan (Dkt. No. 51);

9 WHEREAS, shortly after filing the First Amended Joint Status Report and Discovery  
10 Plan, the Parties re-engaged in discovery and motion practice;

11 WHEREAS, On October 31, 2023, the Court issued an Order Setting Jury Trial Date  
12 and Related Dates (Dkt. No. 59), which included, among other dates and deadlines, a  
13 discovery deadline of August 22, 2024, and a trial date of January 21, 2025;

14 WHEREAS, developments in this matter arising from the Parties' re-engagement in  
15 discovery and motion practice have caused the parties to believe that this dispute is now more  
16 amenable for resolution by mediation than during the prior mediation stay; and

17 WHEREAS, the Parties intend to mediate this dispute on Saturday, April 13, 2024,  
18 before the Honorable Larry A. Jordan of Judicial Dispute Resolution, LLC, and wish to  
19 conserve their resources and promote judicial economy by staying other activity in this  
20 litigation pending the anticipated mediation.

21 NOW THEREFORE, the Parties agree and stipulate as follows:

- 22 1. This matter shall be STAYED pending the mediation scheduled for Saturday,  
23 April 13, 2024;
- 24 2. All pending case deadlines shall be STRICKEN;
- 25 3. Should the mediation fail, within ten (10) days of the date of the mediation,  
26 the Parties shall submit an updated joint status report with a revised case schedule;

4. Should the mediation succeed or the litigation otherwise settle, the Parties shall promptly notify this Court's Courtroom Deputy as previously ordered. *See* Order Setting Jury Trial Date and Related Dates (Dkt. No. 59) at 4; and

5. This relief is without prejudice to any Party seeking to lift the stay prior to its expiration by motion noted in accordance with LCR 7(d)(2).

DATED: January 30, 2024.

**K&L GATES LLP**

By: /s/ Pam K. Jacobson  
Pam K. Jacobson, WSBA No. 31810  
925 Fourth Avenue, Suite 2900  
Seattle, WA 98104  
Phone: (206) 623-7580  
Fax: (206) 623-7022  
pam.jacobson@klgates.com

*Attorneys for Plaintiff/Counterclaim  
Defendant Aesthetic Eye Associates, P.S.*

**ARETE LAW GROUP PLLC**

By: /s/ Jeremy Roller  
Jeremy E. Roller, WSBA No. 32021  
1218 Third Avenue, Suite 2100  
Seattle, WA 98101  
Phone: (206) 428-3250  
Fax: (206) 428-3251  
jroller@aretelaw.com

*Attorneys for Defendants/Counterclaimants  
Alderwood Surgical Center, LLC, NW  
Nasal Sinus Center, P.S., and Javad A.  
Sajan, M.D.*

**~~PROPOSED~~ ORDER**

IT IS SO ORDERED.

DATED: January 30, 2024



Tana Lin  
United States District Judge